

Case 8:08-cv-00663-AW Document 99-9 Filed 01/13/10 Page 1 of 1
on behalf of R. Wayne Pierce

From: "Wayne Pierce" <wpierce@adventurelaw.com>
To: "Kerksiek, Sanya" <SKerksiek@crowell.com>
Cc: "Sauers, William" <WSauers@crowell.com>
Sent: Wednesday, November 25, 2009 2:45 PM
Subject: Re: CoStar v. Pathfinder

Sanya

Once I returned to the office, I had indicated in writing as well as a voicemail message that I left for you yesterday that I was hopeful that a telephone discussion could resolve any issues related to the motion to seal or counsel fees related to your motion to compel. Rather than returning the phone call, you elected to send your attached letter. I can only interpret your position on the motion to seal as an abdication of your responsibilities under the original confidentiality order. As to our request for counsel fees, I was attempting in good faith to resolve this issue without burdening the Court, but your most recent about-face in which you contend that your original motion to compel was justified, makes it apparent that such an effort is futile. If we have something further to discuss, please advise. Otherwise, I have to proceed in light of your articulated position and I will not subject our clients to further spinning of wheels.

WP

----- Original Message -----

From: [Kerksiek, Sanya](#)

To: [Wayne Pierce](#)

Cc: [Sauers, William](#)

Sent: Tuesday, November 24, 2009 4:25 PM

Subject: CoStar v. Pathfinder

Wayne-

Attached is a letter regarding the motion to seal and Pathfinder's intent to seek attorneys' fees.

Regards,
Sanya

Sanya Sarich Kerksiek

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<<2009.11.24 Ltr to Pierce.PDF>>

EXHIBIT 9